(4016)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELLA LOU HALE, Complainant

vs.

HOWARD ELROY HALE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said Ella Lou Hale is forever divorced from the said Howard Elroy Hale for and on account of Cruelty. The stipulated agreement made by and between the parties is hereby ratified and confirmed and the Complainant shall have the care, custody and control of the minor child of her marriage with Respondent and the Respondent shall pay to the Complainant $50.00 per month as and for support of the said minor child.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Ella Lou Hale the Complainant pay the cost herein to be taxed, for which executed may issue.

This 15th day of May, 1957

Hubert M. Hall

Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of May, 1957

_____

Register of Circuit Court, In Equity.

No._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

ELLA LOU HALE

Complainant

vs.

HOWARD ELROY HALE

Respondent

DIVORCE DECREE

FILED

MAY 15 1957

ALICE J. DUCK, Register

ELLA LOU HALE,	§	IN THE CIRCUIT COURT OF
Complainant	§	BALDWIN COUNTY, ALABAMA
vs.	§	IN EQUITY
HOWARD ELROY HALE,	§	
Respondent.	§	

S T I P U L A T I O N

It is stipulated and agreed by and between the parties hereto that the Complainant, Ella Lou Hale, shall have the care, custody and control of the child named in the Bill of Complaint, Howard Thomas Hale, with the right of the Respondent to visit him at reasonable times and places, and to have said child with him for the period of one month each year during the child's summer school vacation; that the Respondent shall pay to the Complainant the sum of Fifty ($50.00) Dollars per month on the first day of each month as and for the support of the said minor child.

Ella Lou Hale
ELLA LOU HALE

Howard Elroy Hale
HOWARD ELROY HALE

STATE OF CALIFORNIA)
) SS
COUNTY OF ALAMEDA)

I, RANDAL F. DICKEY, JR., the undersigned notary public in and for said State and County, certify that Howard Elroy Hale, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 6th day of May, 1957.

My commission expires April 26, 1961.

Randal F. Dickey Jr.
NOTARY PUBLIC in and for the County of Alameda, State of California.

STIPULATION

ELLA LOU HALE,

COMPLAINANT

VS.

HOWARD ELROY HALE,

RESPONDENT

* * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

MAY 25 1957

ALICE J. BUCK, Register

EllaLou Hale, Complainant	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
Howard Elroy Hale, Respondent	)	IN EQUITY

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and to each and every paragraph thereof separately and severally, says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.

2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and the date of separation but denies all other allegations of this paragraph and demands strict proof of the same.

3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. The Respondent also waives notice of taking of testimony in this cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

X Howard Elroy Hale
HOWARD ELROY HALE

STATE OF CALIFORNIA)
COUNTY OF Alameda)

I, the undersigned notary public in and for said State and County, certify that Howard Elroy Hale, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 6th day of ~~April~~ May, 1957.

My commission expires April 26, 1961.

Randal F. Dickey Jr.
NOTARY PUBLIC RANDAL F. DICKEY JR.
NOTARY PUBLIC
In and for the County of Alameda, State of California

STATE OF ALABAMA) IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
COUNTY OF BALDWIN) IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Howard Elroy Hale to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Ella Lou Hale, as Complainant, against Howard Elroy Hale, as Respondent.

WITNESS MY HAND this the ____ day of April, 1957.

_____
REGISTER

ELLA LOU HALE,)
Complainant
vs.) IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
HOWARD ELROY HALE,) IN EQUITY
Respondent

Comes your Complainant, Ella Lou Hale, and files this her Bill of Complaint for divorce against Howard Elroy Hale, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the age of twenty-one years and that your Complainant is a bona fide resident of Baldwin County, Alabama for more than one year next preceding the filing of this Bill and that the Respondent's last known address was 787 Pleasonton, California.

SECOND:

That the Complainant and the Respondent were married on, heretofore, to-wit, April 13, 1948 in Pascagoula, Mississippi and lived together as husband and wife until on, to-wit, April 1, 1956, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from Respondent; that on April 1, 1956 and at time prior

thereto, the Complainant states that the Respondent from his manner and conduct towards her gave reasonable apprehension of committing violence on her person and from his manner and conduct towards her she is reasonably certain that he will commit such violence upon her person, attended with danger to her life and health.

THIRD:

The Complainant and the Respondent have the following named child: Howard Thomas Hale, age seven years, The said minor child is in the care, custody and control of your Complainant and she is a fit and proper person to have the care, custody and control of such child. That your Complainant has no money or property with which to properly support and educate such child and that the Respondent is able to pay your Complainant such sufficient amounts to properly educate and support the said child.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Howard Elroy Hale be made a party Defendant to this cause by the usual writ or process, requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause that Your Honor will award Complainant custody and control of her minor child herein named and willorder and decree that the Respondent shall pay to your Complainant a reasonable sum as and for support of such child. That Your Honor will also grant unto the Complainant an absolute divorce from said Respondent and will decree that the parties may remarry if they see fit and that the Respondent is not to harass your Complainant in any way or means. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Ernest W. Baker
SOLICITOR FOR COMPLAINANT

ELLA LOU HALE,

Complainant

vs.

HOWARD ELROY HALE,

Respondent

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SUMMONS AND COMPLAINT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
APR 22 1957
ALICE J. BUCK, Register

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County } **Circuit Court**

TO: MELDA D. COBB

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine ELLA LOU HALE

a witnesses in behalf of ELLA LOU HALE in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

ELLA LOU HALE, Complainant

and HOWARD PERCY HALE

Respondent

on oath, to be by you administered, upon ELLA LOU HALE to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of APRIL, 1957

Alice J. Duke
Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ELLA LOU HALE
Complainant

VS.

HOWARD ELROY HALE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
MELDA D. COBB

WITNESSES:
ELLA LOU HALE

FILED
MAY 15 1957
ALICE J. DUCK, Register

ORAL DEPOSITION

Printed by The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

ELLA LOU HALE COMPLAINANT

vs.

HOWARD ELROY HALE RESPONDENT

I, Melda Cobb

as Register and Commissioner

have called and caused to come before me Ella Lou Hale

witness named in the requirement for Oral Examination, on the 31st day of April 19 57, at the office of Ernest M. Bailey

in Fairhope, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Ella Lou Hale

doth depose and say as follows:

STATEMENT OF ELLA LOU HALE:

My name is Ella Lou Hale and the Respondent's name is Howard Elroy Hale. We are both over the ages of twenty-one years and I am a bona fide resident of Baldwin County, Alabama.

We were married on April 13, 1948 in Pascogoula, Mississippi and lived together as husband and wife until on April 1, 1956. On that date and on many previous occasions the Respondent abused and threatened to do physical harm to my person. I am of the opinion that if we continue to live together the Respondent will commit actual violence on my person or will injure me permanently.

Ella Lou Hale
ELLA LOU HALE

ORAL EXAMINATION

Printed by The Baldwin Times

I, Melda D. Cobb as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness ____ and read over to her and she signed the same in the presence of myself and Ernest M. Bailey at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ____ or had proof made before me of the identity of said witness ____; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 31st day of April, 1957.

Melda D. Cobb (L. S.)

No. ____ Page ____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ELLA LOU HALE, COMPLAINANT

vs.

HOWARD ELROY HALE, RESPONDENT

ORAL DEPOSITION

Filed ____, 19__, ____ Register.

RECORDED IN

Vol. ____ Page ____ Record ____, Register.

FILED
MAY 15 1957
ALICE J. DUCK, Registe

STATE OF ALABAMA)
BALDWIN COUNTY)

A F F I D A V I T

Before me, Ernest M. Bailey, Notary Public in and for the State of Alabama at Large, personally appeared Ella Lou Hale, who is known to me and who, being by me first duly sworn, deposes and says:

That she is the Complainant in that certain action pending in the Circuit Court of Baldwin County, Alabama, wherein Ella Lou Hale is the Complainant and Howard Elroy Hale is the Respondent; that the last known residency of the said Respondent, Howard Elroy Hale, was, to the best of her knowledge and belief, 787 Pleasonton, California; that the residency of the said Respondent is otherwise unknown to her and cannot be ascertained by reasonable effort; that the Respondent, Howard Elroy Hale, is over the age of twenty-one years.

Ella Lou Hale
ELLA LOU HALE

Sworn to and subscribed before me this the 19th day of April, 1957.

Ernest M. Bailey
NOTARY PUBLIC

4016

ELLA Lou Hale
Complainant

vs

Howard ELROY HALE
Respondent

Affidavit of
Non-Residency

FILED
APR 22 1957
ALICE J. BUCK, Register

copy

NOTICE TO NON-RESIDENT — The Baldwin Times, Bay Minette, Alabama

Ellen Lou Hale

No.

Howard Elroy Hale

vs.

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the _____ day of _____, 194__

In this cause it being made to appear to the Clerk of this Court by the affidavit of Ellen Lou Hale

that the Defendant Howard Elroy Hale

is a non-resident of the State of Alabama and his last known address was 717 Clearwater Ave. and is otherwise unknown

and further, that, in the belief of said Affiant the Defendant over the age of 21 years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ Foley Onlooker, a newspaper published in ~~Bay Minette~~ Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Howard Elroy Hale the said Defendant

to answer or demur to the Bill of Complaint in this cause by the 22 day of May, 1947, or after thirty days therefrom a decree Pro Confesso may be taken against him

Register.

Ernest M. Bailey
Solicitor for Complt.

8581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

ELLA LOU HALE

vs.

HOWARD ELROY HALE

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, and Oral Testimony

and in behalf of Defendant upon Answer and Waiver

Ernest M Bailey
For Complainant

Alice J. Duke
Register.

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ELLA LOU HALE

vs.

HOWARD ELROY HALE

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ....., 194.....

FILED
MAY 15 1957
ALICE I. DUCK, Register.

..... Register.

Print... the Baldwin Times